IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 13TH DECEMBER 2007 / 22ND AGRAHAYANA 1929

Bail Appl..No. 7631 of 2007(P)

CMP.5381/2007 of J.M.F.C.,TIRUR
CRIME NO.252/07 OF TIRUR POLICE STATION

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: PETITIONERS/ACCUSED NOS 3 & 4

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1. PRASAD, S/O.VASU, KANAKKAN HOUSE,
PULLONI, MANGALAM AMSOM, TIRUR TALUK.

2. BHASKARAN, S/O.RAMAN, THOTTIYIL HOUSE,
MANGALAM AMSOM, PULUNI DESOM.

BY ADV. SRI.S.RAJEEV

RESPONDENTS: STATE

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM (CRIME NO.252 OF 2007 OF TIRUR
POLICE STATION).

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/12/2007, ALONG WITH BA NO. 7637 OF 2007, BA NO.7646 OF 2007, BA NO.7650 OF 2007 & BA NO. 7651 OF 2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.Nos.7631, 7637, 7646, 7650 & 7651 of 2007

Dated this the 13th day of December, 2007

ORDER

These are all applications for regular bail. Petitioners in these bail applications face allegations for offences punishable, inter alia, under Sections 302, 307, 326 & 153 A all r/w 149 I.P.C. Altogether there are 5 crimes. The incidents in these 5 crimes took place in January, 2007. There was communal disharmony, hatred and violent incidents during the month of June, 2007 within the jurisdiction of Tirur and Kalpakanchery Police Stations. These 5 crimes have been registered in respect of incidents which took place at that time. 3 persons-Prasad, S/o.Vasu, Prasad, S/o.Chandran and one Bhaskaran are the petitioners in these cases. The Prasads were arrested on 24.09.07 and 10.09.07 respectively. The said Bhaskaran was arrested on 22.10.07. Those are the dates of their initial arrest. Their arrest has subsequently been recorded in the other crimes. The petitioners continue in custody from the dates referred above.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioners can now be enlarged on bail in all these cases. Appropriate conditions can of course be imposed considering the submission of the learned Public Prosecutor that law and order situation may be imperiled by the presence of the petitioners within the jurisdiction of Kalpakanchery and Tirur Police Stations.

3. These bail applications are in these circumstances allowed. The petitioners shall be released on bail on the following terms and conditions.

i) In each case the petitioners shall execute bonds for Rs.1,00,000/- (Rupees One lakh only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioners shall make themselves available for interrogation before the S.H.O, Tirur Police Station between 10 a.m and 12 noon on the first and third Mondays of all English

Calendar months for a period of three months. They shall also make themselves available for interrogation before the S.H.O, Kalpakanchery Police Station between 10 a.m and 12 noon on the second and fourth Mondays of all English Calendar months for a period of three months. Thereafter the petitioners shall make themselves available for interrogation before the Investigating Officers as and when directed by the Investigating Officers in writing to do so;

iii) The petitioners shall not enter the jurisdiction of the Tirur and Kalpakanchery Police Stations during the said period of 3 months without the prior permission of the learned Magistrate except for the purpose of complying with condition No.ii above.

(R.BASANT, JUDGE)

rtr/-